

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA

FILED
U.S. DISTRICT COURT
AUGUSTA DIV.

2020 SEP 24 P 1:29

IN RE: The National Emergency
Declared on March 13, 2020:
Second Renewal of CARES Act Order

CLERK
SO. DIST. OF GA.


STANDING ORDER MC 120-

M C 1 2 0 - 0 2 1

WHEREAS, on March 13, 2020, a national emergency was declared under the National Emergencies Act, 50 U.S.C. Section 1601, *et. seq.*, in response to the COVID-19 pandemic;

WHEREAS, on March 27, 2020, the President signed the Coronavirus Aid, Relief, and Economic Security Act (“CARES Act”) authorizing the use of video and telephone conferencing, under certain circumstances and with the consent of the defendant or juvenile, for various criminal case events during the course of the COVID-19 emergency;

WHEREAS, on March 29, 2020, the Judicial Conference of the United States found that emergency conditions, consistent with the national emergency declared with respect to COVID-19, will materially affect the functioning of the federal courts;

WHEREAS, on March 30, 2020, the Chief Judge of this District, pursuant to Section 15002(b)(1) of the CARES Act and based on a finding that criminal proceedings cannot be conducted in person without seriously jeopardizing public health and safety, entered an Order-MC120-005- providing that in lieu of personal appearance, and with the consent of the defendant or juvenile after consultation with counsel, it is appropriate to use video conferencing, or telephone conferencing if video conferencing is not reasonably available, for all events listed in Section 15002(b) of the CARES Act and in Order MC120-005;

WHEREAS, the CARES Act requires the chief judge of each federal district, no later than ninety days after the entry of the authorization to conduct proceedings by video or telephone conferences, to “review the authorization and determine whether to extend the authorization.” Section 15002(b)(3)(A);

WHEREAS, on June 26, 2020, the Chief Judge extended the authorizations for an additional ninety days (MC120-014);

WHEREAS, upon review, the Court finds that the National Emergency declared on March 13, 2020 continues in effect and, further, the most recent health statistics indicate that the COVID-19 coronavirus remains a serious health crisis in the Southern District of Georgia; and

WHEREAS, the Court hereby determines that the authorizations should be renewed.

THEREFORE, IT IS HEREBY ORDERED that the authorizations contained in the Court’s March 30, 2020 General Order (MC120-005), and renewed on June 20, 2020 (MC120-014), are hereby renewed. This authority is effective for ninety days unless otherwise ordered. However, notwithstanding the term of this Order, this authority terminates on the last day of the national emergency declared by the President of the United States on March 13, 2020 or the day on which the Judicial Conference of the United States determines that the emergency no longer affects the United States courts in this District, whichever occurs first.

ORDERED at Augusta, Georgia, this 24th day of September, 2020.

J. RANDAL HALL
Chief United States District Judge